

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 4, 8, 11 and 12 have been amended. The amendments to at least claims 1, 4, 11 and 12 are to improve their readability and do not narrow their scope. New claim 13 has been added. Support for new claim 13 can be found at least in original claim 1.

This amendment adds and changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-13 are now pending in this application.

Allowable subject matter

Applicant appreciates the indication that claim 4 contains allowable subject matter. Claim 4 has been amended to be in independent form, and to include amendments to improve readability corresponding to those in amended claim 1. Thus, claim 4 is in *prima facie* condition for allowance.

Claim objections

Claim 11 was objected to for informalities. Applicant has amended claim 11 as suggested by the Examiner, thus overcoming the objection to claim 11.

Rejection under 35 U.S.C. § 112, first paragraph

Claim 7 stands rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. Specifically, the Office Action stated that it appeared that the only support for the claim 7 limitations is found on page 15 of the specification. Applicant submits that support for claim 7 can be found at least on page 9, lines 5-19, and that such disclosure is enabling.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-3, 5, 6, 8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,610,772 to Iizuka (“Iizuka”). Claims 7, 9, 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Iizuka. Applicant respectfully traverses these rejections for at least the following reasons.

Independent claim 1 is directed to a mirror apparatus for a vehicle. The apparatus includes a second mounting portion of a bracket that protrudes from a second opening of a mirror housing and is mounted to a second mounting portion of a base. Claim 1 also specifically recites “the second mounting portion of the base and the second mounting portion of the unit bracket are formed in the form of a narrow neck portion between the mirror housing and the base.” Iizuka fails to disclose at least this feature of claim 1 in the context of that claim.

The Office Action equates the mirror housing 20, mirror base 30, and bracket 22 of Iizuka with the mirror housing, base, and unit bracket, respectively, of claim 1. Iizuka discloses that the bracket 22 is formed integrally with a mount 32 which has a drive mechanism 28 mounted thereon, and the mount 32 is adapted for rotation in relation to a shaft holder 33 fixed to the mirror base 30 (col. 2, lines 51-58), and that the mirror housing 20 has an opening 20b corresponding in shape to the mirror base 30.

Iizuka, however, fails to disclose that the portions of the bracket 22 and mirror base 30 that are mounted together form a narrow neck portion between the housing 20 and the base 30. Thus, Iizuka does not disclose the recited feature of claim 1 where “the second mounting portion of the base and the second mounting portion of the unit bracket are formed in the form of a narrow neck portion between the mirror housing and the base.” In the Iizuka device any neck portion between the mirror base 30 and housing 20 is formed by the mirror housing itself (See Fig. 1). In this regard, Iizuka specifically discloses the “lateral opening 20b is designed in shape to just fit the shape of the mirror base 30 when the mirror housing is folded toward the mirror base 30.” (col. 3, lines 1-4). Thus, the Iizuka device is designed so that

housing 20 just fits to the mirror base 30, and the bracket 22 does not form any narrow neck portion with the base 30.

Moreover, forming the narrow neck portion using the bracket and base as recited in claim 1 provides the advantage that components of the mirror apparatus may be formed without the need of a complicated mold (see instant specification, page 14, lines 4-12). Iizuka, failing to suggest the narrow neck as recited in claim 1, also fails to suggest the advantages arising therefrom.

Independent claim 12 recites “the second mounting portion of the base and the second mounting portion of the unit bracket form a narrow neck portion in between the mirror housing and the base.” Thus, claim 12 is patentable over Iizuka for reasons analogous to claim 1.

The dependent claims 2-3 and 6-11 are patentable for at least the same reasons as claim 1, from which they ultimately depend, as well as for further patentable features recited therein. For example, claim 2 recites “wherein a mounting axis of the first mounting portion of the base and a mounting axis of the second mounting portion of the base coincide with each other or are near each other.” By contrast, it appears from Fig. 3 in Iizuka that the mounting axis of portion of the base 30 mounted to the vehicle is perpendicular to the mounting axis of the portion of the base 30 mounted to the mount 32 of the bracket 22.

With respect to claim 5, Iizuka does not disclose that any of the structure of its device functions as a backlash prevention unit.

With respect to claim 7, the Office Action alleges that the limitations would have been obvious, but does not provide a reference disclosing such limitations. If the rejection of claim 7 is maintained, applicant respectfully requests that the Examiner provide a reference disclosing the features of claim 7.

Claim 8 recites “flat surfaces on an entire circumference of the second opening, and any one of the second mounting portion of the base and the second mounting portion of the

bracket, wherein the flat surfaces touch each other along the entire circumference.” This feature is neither disclosed nor suggested by Iizuka.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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